

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

Civil Action No.
03 MDL 1570 (RCC)
ECF Case

**REPLY DECLARATION OF
KENNETH A. CARUSO IN
SUPPORT OF DEFENDANT
YUSEF JAMEEL'S
MOTION TO DISMISS**

This document relates to:

Thomas E. Burnett, Sr., et al. v. Al Baraka
Investment and Development Corp., et al., 03 CV 5738, 9849 (RCC)

KENNETH A. CARUSO declares the following:

1. I am a member of the Bar of this Court and a member of the firm of Chadbourne & Parke LLP, counsel to defendant Yousef Jameel. I submit this reply declaration in support of Mr. Jameel's Motion to Dismiss.

2. Attached to this reply declaration are the following exhibits:

Exhibit A is a copy of the Programme for the November 1, 2004 Ceremony for Admission to the Companions of the Guild of Cambridge University Benefactors Program.

Exhibit B is a copy of excerpts from the testimony of Jamal al-Fadl in United States v. El Hage, No. 98cr1023 (S.D.N.Y.), Feb. 13, 2001.

Exhibit C is a copy of (1) the Witness Statement of Jean-Charles Brisard (May 21, 2003), in Bin Mahfouz v. Beaton, UK HCJ No.HC 03X00518; and (2) Plaintiffs' Consolidated Memorandum of Law in Opposition to Sultan bin Abdulaziz al-Saud's Motion to Dismiss Certain Consolidated

Complaints in In re Terrorist Attacks on September 11, 2001, 03 MDL 1570 (RCC), dated May 14, 2004.

Exhibit D is a copy of a Letter from Alfonso Valdivieso to Kendall Freeman, March 12, 2004, available at http://www.binmahfouz.info/pdf/faqs_5_jsb_12march.pdf.

Exhibit E is a copy of an August 2004, High Court of Justice of England default judgment and order in Bin Mahfouz v. Brisard, et al, UK HCJ No. HC 03X03141.

Exhibit F is a copy of (1) a Judgment of 16 September 2004, Appeals Chamber, Federal Criminal Court of Switzerland, BK S 094/04; (2) Madeleine Schürch, An Extraordinary Vaudois Prosecutor, 24 Heures, March 3, 2004 (with certified translation); and (3) Dangerous Liaisons of Federal Prosecutor Claude Nicati with the "Expert" Jean-Charles Brisard, Le Temps, Sept. 25, 2004 (with certified translation).

Exhibit G is a copy of certain pages of the Transcript of Bench Trial in United States v. Khan, Crim. No. 03-296-A (E.D.Va.), Feb. 13, 2004.

Exhibit H is a chronology of certain relevant events, created by counsel for Mr. Jameel, and derived from publicly available sources.

Exhibit I is the Affirmation of Patrick J. Fitzgerald in United States v. El Hage, No. 98cr1023 (S.D.N.Y.), dated Dec. 30, 1999.

I declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on December 17, 2004

/s/ Kenneth A. Caruso
KENNETH A. CARUSO